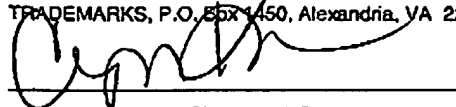


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING SENT VIA FACSIMILE: COMMISSIONER OF PATENTS AND  
TRADEMARKS, P.O. Box 1450, Alexandria, VA 22313-1450 ON 12/23/2003 Sent by: Cindy Kane



Signature &amp; Date

**RECEIVED  
CENTRAL FAX CENTER**

DEC 23 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: Richard P. Volant et al.	Date: 12/23/03
Serial Number: 10/026,146	Examiner: Hung K. Vu
Filed: 12/21/01	Group Art Unit: 2811
Title: Multi-Level RF Passive Device	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

**OFFICIAL****Amendment**

Commissioner of Patents and Trademarks  
P.O. Box 1450, Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action dated 9/24/03; kindly amend the above identified application as follows.

FIS920010219

10/026,146

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10026,146
Filing Date	12/21/2001
First Named Inventor	Richard P. Volant
Art Unit	2811
Examiner Name	Vu, Hung K
Attorney Docket Number	FIS920010219US1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_

**b. ☒ Enclosed**

- i. ☒ Amendment/Reply      iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)      iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

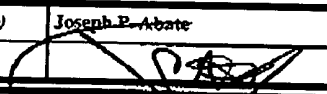
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0458 (FI-432)
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

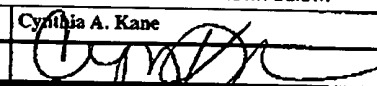
**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Joseph P. Abate	Registration No. (Attorney / Agent)	30,238
Signature		Date	12/23/03

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Cynthia A. Kane	Date	12/23/03
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**FACSIMILE  
TRANSMISSION  
TO USPTO**

## CERTIFICATION OF FACSIMILE TRANSMISSION:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE  
TRANSMITTED TO THE USPTO ON THE DATE SHOWN BELOW:

Date of Transmission: December 23, 2003

Name of Person Making Transmission: Cindy Kane

Signature: 

DOCUMENT(S) FAXED:

PAGES ATTACHED: 8

Re Applic of
Docket No.
Serial No.
Filing Date
Attorney

Volant, P. et al.
FIS920010219US1
10/026,146
12/21/01
Joseph P. Abate


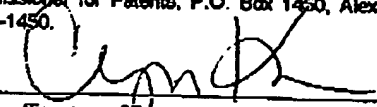
**RECEIVED  
CENTRAL FAX CENTER****DEC 23 2003****Attached: Amendment ,Amendment Transmittal Form and  
RCE****OFFICIAL****PLEASE DELIVER TO:**  
**EXAMINER: Vu, Hung K**  
**ART UNIT: 2811**  
**PHONE NO:**  
**FAX NO: 703-872-9306**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE  
INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED,  
AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED,  
CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER  
APPLICABLE LAW. IF THE READER OF THIS MESSAGE  
IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE  
OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE  
TO THE INTENDED RECIPIENT, YOU ARE HEREBY  
NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION  
OR COPYING OF THIS COMMUNICATION IS STRICTLY  
PROHIBITED. IF YOU HAVE RECEIVED THIS  
COMMUNICATION IN ERROR, PLEASE NOTIFY US  
IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL  
MESSAGE TO US AT THE ADDRESS TO THE RIGHT VIA  
THE U.S. POSTAL SERVICE.

## INTERNATIONAL BUSINESS MACHINES CORPORATION

Intellectual Property Law  
East Fishkill Facility  
2070 Route 52  
Hopewell Junction  
New York 12533-6531

Fax: 845-892-6363  
Phone: 845-894-4633

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>FIS920010219US1</b>	
Applicant(s): <b>Volant P., et al.</b>					
Serial No. <b>10/026,146</b>	Filing Date <b>12/21/01</b>	Examiner <b>Hung K. Vu</b>	Group Art Unit <b>2811</b>		
Invention: <b>MULTI-LEVEL RF PASSIVE DEVICE</b>					
<u><b>TO THE COMMISSIONER FOR PATENTS:</b></u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	15 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<div style="margin-top: 10px;"><input checked="" type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0458 in the amount of <input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed. <input type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div>					
<div style="text-align: center;"> _____ <b>JOSEPH P. ABATE</b> <b>ATTORNEY FOR APPLICANT</b> <b>REG. NO. 30,238</b></div>			Dated: <b>DECEMBER 23 2003</b>		
cc:					
<div style="font-size: small;">I certify that this document and fee is being sent via facsimile on December 23, 2003 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</div> <div style="text-align: center; margin-top: 10px;"> <i>Signature of Person Mailing Correspondence</i></div> <div style="text-align: center; margin-top: 10px;"><b>CINDY KANE</b> <i>Typed or Printed Name of Person Mailing Correspondence</i></div>					